

Claims 1-10, 14-16 and 19-24 stand rejected as being anticipated by Chaney et al. ('106). Although Chaney et al. disclose that program information is divided into two kinds one of which is simplified in the same manner as in the present invention, the disclosure of Chaney et al. differs from the present invention as follows:

Chaney et al. disclose transmission of program information by dividing the same into two kinds, such that one includes information of programs to be broadcast within a short viewing period such as a few days and the other includes information of programs to be broadcast within a longer viewing period, such as 13 days or more. The reference defines "master data" as related to a predetermined, relatively short, viewing period; and "special data" as data related to a period longer than said predetermined, shorter, viewing period. According to the present invention, program information is divided into two such lists of data, one that includes items that are minimally necessary for the preparation of a program guide and the other that includes all items. The second data set is detailed program information that can be displayed when selected by a user.

According to the Chaney et al. disclosure, information of programs to be broadcast within a short period of time can be derived shortly whereas information of programs to be broadcast within a longer period of time, including a period after the short period, cannot be derived shortly. By comparison, according to the present claimed invention, the basic information includes minimally necessary items of information of programs to be broadcast over a short period of time that can be displayed quickly and without delay because such data are sent from the broadcasting center to each terminal and received by each terminal before the master data list is completely received.

From the above it will be understood that the present invention is superior in that information on any programs can be displayed quickly irrespective of the broadcasting date or time of the program. Each of independent claims 1, 14 and 19 recites the requirement for the above-mentioned master data and basic data, which are not disclosed or taught by Chaney et al.

As to claims 2 and 20, the Examiner stated that the claimed limitation, wherein said program basic information is prepared by extracting information with higher utilization frequency, is met where the master guide once received is retained in the rate buffer memory because it is periodically updated and the master guide retention allows for instantaneous changes (col. 7, line 21-26). This position of the examiner is respectfully traversed. The disclosure of the Chaney et al. patent does not state what the examiner has attributed to it. What is disclosed in Chaney et al., is merely periodically updating the contents of the rate buffer memory (please see element 15 in Fig. 4) within the receiver terminal using the newest master data (simplified data of the most current several hours) just received. In other words, the contents of the rate buffer memory 15 are not updated by extracting data from another set of data or information that includes more detailed information, as is provided in applicants' claims. Furthermore, it is to be noted that the rate buffer memory 15 is located within the receiver terminal, and not in the broadcasting system. To the contrary, according to the present invention, as defined by claim 2, the program basic information (simplified data) is prepared by extracting information items, whose utilization frequency is high, from the master data at the broadcasting center, i.e. at the broadcasting station side. Claim 2 has been amended to insure that this difference is absolutely clear. In case of claim 20, the extraction is performed within the receiving terminal unit. However, the program basic information (simplified data) is prepared by extracting information items, whose utilization frequency is high, from the master data in the similar manner as in case of claim 2. Claim 20 has also been amended to make this difference from Chaney et al. clear

As to claims 5 and 23, with respect to which the Examiner states that the claims requiring attributes serving as delineating elements "is met where the master guide may include items shown in Table 1 of the scheduler/database (col. 8, line 18-31 of the reference), it is to be noted that both claims 5 and 23 recite a plurality of types of program basic information that is not disclosed or taught by Chaney et al. The reference shows that only one master guide is used.

As to claims 6 and 24, although the Examiner relies on the disclosure of Chaney et al., the claimed linking is not disclosed or taught by Chaney et al.

As to claims 7 and 8, although the Examiner relies on the disclosure of Chaney et al., the claimed different cycles are not disclosed or taught by Chaney et al. in which the use of one or more carriers for transmission of two different data is disclosed.

As to claims 10, 15 and 16, although the Examiner relies on the disclosure of Chaney et al., the claimed transmission of an e-mail is not disclosed or taught by Chaney et al. To make clear the difference, claims 10-14 have been amended to emphasize this distinction.

As to claim 19, although the Examiner relies on the disclosure of Chaney et al., the means for extracting the minimally necessary data from the master data set for preparation of a program guide is not disclosed or taught by Chaney et al. To make clear the difference, claim 19 has been amended.

Claims 17 and 18 stand rejected under 35U.S.C.103(a) as being unpatentable over the disclosure of the Chaney et al. reference. In order to further establish the patentable distinction between the reference and these claims, claim 17 has been amended. Amended claim 17 recites a means for receiving questionnaire and voting data, including replies to the questionnaire from subscribers; and a means for processing the received voting data. These means are not disclosed nor taught Chaney et al.

Chaney et al. does not disclose bi-directional transmission. According to the disclosure of this reference, broadcasting information, i.e. programs and two different kinds of program guides, are transmitted from the broadcasting station by way of radio waves, and the radio waves are received at each receiver of a subscriber. The user interface 16 shown in Fig. 4 is used to input user's commands to control the receiver so that the user can watch/listen to what he or she wants. There is no disclosure as to the transmission of user's requests, votes or the like from the receiver side to the broadcasting station side.

It should therefore be clear that the instant claimed invention is patentably distinct from the references that have been cited by the examiner. All of the claims should be indicated to be allowable.

The specification has been amended to cure the informality pointed out by the Examiner.

Claim 11 has been amended to overcome the rejection under 35 USC 112.

Newly added claims 25-37 are method claims substantially corresponding to apparatus claims 1-24.

Newly added claims 38-40 are of the same format as original claims 11-13. Claim 38 is now of independent from, and includes all the limitation of, original claims 1 and 10.

It is believed that the present invention now defined by amended claims and by the newly added claims is patentably distinct from the prior art. Reconsideration and an early allowance of all claims are respectfully solicited.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP



Michael G. Gilman  
Registration No. 19,114  
Attorneys for the applicants

USPTO Customer No. 22429  
1700 Diagonal Road,  
Suite 300/310  
Alexandria, Virginia 22314  
(703) 684-1111 Voice  
(703) 518-5499 Facsimile  
Docket No.: 041-1964  
June 3, 2002  
MGG/vgg